

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF WEST VIRGINIA  
WHEELING

JOSHUA MORRIS,

Plaintiff,

-vs-

Case No: 5:13-cv-131 (Bailey)

BELLAIRE HARBOR SERVICE, LLC,

Electronically Filed  
September 19, 2013

Defendant.

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COMPLAINT

NOW COMES Plaintiff, by and through counsel undersigned, O'BRYAN BAUN KARAMANIAN, complaining against Defendant as follows:

1. Jurisdiction and venue lie in this action, Defendant conducting business within this forum's boundaries.
2. Jurisdiction is founded under the Jones Act (46 USCA 30104) for negligence, and under the General Admiralty and Maritime Law for unseaworthiness, maintenance, cure, and wages.
3. At all times material to issues herein Plaintiff served as an employee of Defendant serving as a crew member aboard its vessels, with all acts and/or omissions giving rise to this action occurring in the course of Plaintiff's employment in the service of his ship.
4. In or about June 2013, Plaintiff was in the course of his employment when he stepped in an unnecessary hole that shouldn't have been there on a retaining wall and suffered injury because of said failure to exercise reasonable care and provide a safe place to work.
6. Defendant's tortious acts aforesaid caused or contribute to Plaintiff's damages, inter

alia, as follows:

- a. Pain and suffering, past future;
- b. Mortification, humiliation, fright shock and embarrassment;
- c. Loss of earnings and earning capacity;
- d. Hospital, pharmaceutical and other cure expenses;
- e. Aggravation of prior condition, if any there be;
- f. Inability to engage in social, recreational, and other pursuits previously enjoyed;
- g. Mental anguish;
- h. Found;
- i. Maintenance, cure, wages and/or attorney fees.

WHEREFORE, Plaintiff demands trial by jury and judgment against Defendant, together with interest, costs, attorney fees and expenses, all to be methodically adjusted upwards during the pendency of this cause.

O'BRYAN BAUN KARAMANIAN

/s/ Dennis M. O'Bryan (w/ consent)

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/s/ Andrew J. Katz

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DATED:

9/19/2013